IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Judge's Order No.102 of of 2007
In
Execution Application No.17 of 2007
In
C/CC/476 of 2003

Mrs.Medha Arora. ... ... Applicant
(Org. Disputant)

v/s.

Varsova Saro Varovar Co-Op. Hsg.Ltd. .. ... Respondent
(Org. Opponent)

Mr.B.B. Parekh for Applicant.

CORAM : SMT.R.S. DALVI, J.

DATED : 15th March, 2007

P.C. :

1. The Applicant (original Disputant) has obtained the decree of the Co-operative Court. That decree is sought to be executed. The Applicant has to pay Rs.Nine Lacs to the Respondent, upon which the Respondent-Society has to hand over possession of flat No.B-206 Versova Sandeep Sarovar Co-operative Housing Society Ltd., Plot No.13, S.V.P. Nagar, MHADA, Four Bungalow, Andheri (West), Mumbai 400 053.

2. Nobody has appeared on behalf of the Respondent-Society or accepted the Pay order. The Applicant has been directed to deposit the Pay

order with the Prothonotary and Senior Master and the Respondent has been given liberty to take away the said Pay Order and encash. Upon such deposit, the execution has been allowed to proceed.

3. The Bailiff has made a report that the premises is found locked. The Pay Order has lapsed. The Applicant has produced another Pay Order. The Applicant shall be entitled to replace the earlier Pay Order with the fresh Pay Order. The Applicant is entitled to take possession of the aforesaid flat through the Bailiff, by breaking open the lock. Hence, there shall be an order in terms of the Judge’s order.

4. Copy of the notice to the Respondent is taken on record.

5. Judge’s order stands disposed of accordingly.

(Smt.R.S. Dalvi, J.)